

EXHIBIT “D”

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

TINA LINDQUIST	:	NO. 04-249E
Plaintiff,	:	
	:	JUDGE BAXTER
vi.	:	
	:	
HEIM, L.P.	:	
Defendant.	:	

ORDER

AND NOW, this 10th day of August, 2005, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiff's Motion to Extend Case Management Order deadlines for a period of sixty (60) days is GRANTED. The new deadlines are as follows:

1. The parties shall complete fact discovery by November 16, 2005. All interrogatories, depositions, requests of admissions, and requests for production shall be served within sufficient time to allow responses to be completed within 30 days or December 16, 2005 after the close of fact discovery.

2. EXPERT REPORTS AND DISCOVERY

(a) Plaintiff's expert reports shall be filed by 30 days or December 16, 2005 after the close of fact discovery.

(b) Defendant's expert reports shall be filed by 60 days or January 16, 2006 after the close of fact discovery.

(c) All expert depositions shall be completed by 90 days or February 16, 2006 after the close of fact discovery.

3. Responses to motions to compel are due within 10 calendar days of the filing of the motion.

4. Motions for summary judgment with evidentiary material and accompanying briefs, if appropriate, shall be filed by 20 days or March 8, 2006 after the end of fact and expert discovery. Responses to motions shall be filed within 14 days of filing of such motion. Brief supporting or opposing summary judgment motions shall not exceed 15 pages, excluding tables of authorities. Reply and surreply briefs shall not be filed unless approved/requested by the Court.

5. Plaintiff's pretrial narrative statement shall comply with Rule 16.1.4.A, and be filed by 40 days or March 28, 2006 after the end of fact and expert discovery.

6. Defendant's pretrial narrative statement shall comply with Rule 16.1.4.B, and be filed by 70 days or April 27, 2006 after the end of fact and expert discovery.

7. Material facts not identified in the pretrial narrative statements may be excluded upon objection or *sua sponte*. Witnesses or exhibits not identified in the pretrial narrative statements shall not be admissible at trial, except for an exhibit to be used solely for impeachment purposes. Plaintiff should use numbers with "P" prefix to designate exhibits (e.g., P1, P2,); Defendant should use numbers with a "D" prefix to designate exhibits (e.g., D1, D2).

8. The parties shall not amend or supplement their pretrial narrative without leave of court.

BY THE COURT,

s/Susan Paradise Baxter ,
J.